

JOURNAL OF THE HOUSE

NINETY-FIRST SESSION

TWENTY-SEVENTH DAY

STATE OF SOUTH DAKOTA
House of Representatives, Pierre
Wednesday, February 24, 2016

The House convened at 2:00 p.m., pursuant to adjournment, the Speaker Pro tempore presiding.

The prayer was offered by the Chaplain, Father Ron Garry, followed by the Pledge of Allegiance led by House page Layna Darling.

Roll Call: All members present except Reps. Kaiser and Rasmussen who were excused.

APPROVAL OF THE JOURNAL

MR. SPEAKER:

The Committee on Legislative Procedure respectfully reports that the Chief Clerk of the House has had under consideration the House Journal of the twenty-sixth day.

All errors, typographical or otherwise, are duly marked in the temporary journal for correction.

And we hereby move the adoption of the report.

Respectfully submitted,
Dean Wink, Chair

Which motion prevailed.

REPORTS OF STANDING COMMITTEES

MR. SPEAKER:

The Committee on State Affairs respectfully reports that it has had under consideration SB 73 and returns the same with the recommendation that said bill do pass.

Also MR. SPEAKER:

The Committee on State Affairs respectfully reports that it has had under consideration SB 45 and returns the same with the recommendation that said bill be amended as follows:

45oc

On page 2, line 7, of the Senate engrossed bill, delete "Joint" and insert "Government Operations and Audit Committee".

On page 2, line 8, delete "Committee on Appropriations".

And that as so amended said bill do pass.

Respectfully submitted,
Brian G. Gosch, Chair

Also MR. SPEAKER:

The Joint Committee on Appropriations respectfully reports that it has had under consideration HB 1205 and 1226 which were tabled.

Respectfully submitted,
Justin R. Cronin, Co-Chair

Also MR. SPEAKER:

The Committee on Education respectfully reports that it has had under consideration SB 81 and returns the same with the recommendation that said bill do pass.

Also MR. SPEAKER:

The Committee on Education respectfully reports that it has had under consideration SB 5 and returns the same with the recommendation that said bill be amended as follows:

1 5cb

2 On page 8, line 18, of the Senate engrossed bill, after "." insert "For the purposes of this
3 chapter, a rural attendance center is an attendance center that is at least ten miles from the
4 corporate limits of any incorporated municipality."

5 And that as so amended said bill do pass.

6 Respectfully submitted,
7 Jacqueline Sly, Chair

8 Also MR. SPEAKER:

9 The Committee on Judiciary respectfully reports that it has had under consideration SB 55,
10 79, and 97 and returns the same with the recommendation that said bills do pass.

11 Also MR. SPEAKER:

12 The Committee on Judiciary respectfully reports that it has had under consideration SB 33
13 and returns the same with the recommendation that said bill do pass and be placed on the
14 consent calendar.

15 Also MR. SPEAKER:

16 The Committee on Judiciary respectfully reports that it has had under consideration SB 54
17 and returns the same with the recommendation that said bill be amended as follows:

18 54rb

19 On page 17, line 18, of the printed bill, after "individuals" insert "or by a notary public".

20 54ra

21 On page 8, line 17, of the printed bill, before "." insert "unless the court finds good cause
22 for the additional continuance and:

23 (1) The parties stipulate to an additional continuance; or

24 (2) The court finds that law enforcement is unable to locate the respondent for purposes
25 of service of the ex parte protection order".

1 And that as so amended said bill do pass.

2 Respectfully submitted,
3 G. Mark Mickelson, Chair

4 Also MR. SPEAKER:

5 The Committee on Commerce and Energy respectfully reports that it has had under
6 consideration SB 42 and returns the same with the recommendation that said bill do pass.

7 Also MR. SPEAKER:

8 The Committee on Commerce and Energy respectfully reports that it has had under
9 consideration SB 39 and 57 and returns the same with the recommendation that said bills do
10 pass and be placed on the consent calendar.

11 Also MR. SPEAKER:

12 The Committee on Commerce and Energy respectfully reports that it has had under
13 consideration SB 70 which was deferred to the 41st Legislative Day.

14 Respectfully submitted,
15 Tim Rounds, Chair

16 **MESSAGES FROM THE SENATE**

17 MR. SPEAKER:

18 I have the honor to return herewith HB 1004, 1069, and 1071 which have passed the Senate
19 without change.

20 Also MR. SPEAKER:

21 I have the honor to transmit herewith SB 16, 72, 112, 118, 131, and 171 which have passed
22 the Senate and your favorable consideration is respectfully requested.

23 Respectfully,
24 Kay Johnson, Secretary

1

MOTIONS AND RESOLUTIONS

2

3

4

Rep. Johns moved that the House do not concur in Senate amendments to HB 1183 and that a committee of three on the part of the House be appointed to meet with a like committee on the part of the Senate to adjust the differences between the two houses.

5

6

Which motion prevailed and the Speaker appointed as such committee Reps. Johns, Stevens, and Gibson.

7

8

HCR 1007: A CONCURRENT RESOLUTION, Requiring the use of sound science in evaluating crop protection chemistries and nutrients.

9

Rep. Cronin moved that HCR 1007 as found on page 278 of the House Journal be adopted.

10

The question being on Rep. Cronin's motion that HCR 1007 be adopted.

11

And the roll being called:

12

Yeas 68, Nays 0, Excused 2, Absent 0

13

Yeas:

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Anderson; Bartling; Beal; Bolin; Bordeaux; Brunner; Campbell; Conzet; Craig; Cronin; Deutsch; DiSanto; Dryden; Duvall; Feickert; Gibson; Gosch; Greenfield (Lana); Haggard (Don); Harrison; Haugaard; Hawks; Hawley; Heinemann (Leslie); Holmes; Hunhoff (Jean); Hunt; Jensen (Alex); Johns; Killer; Kirschman; Klumb; Langer; Latterell; Marty; May; McCleerey; Mickelson; Munsterman; Novstrup (Al); Otten (Herman); Partridge; Peterson (Kent); Qualm; Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenbeck; Schoenfish; Schrempp; Sly; Soli; Solum; Stalzer; Steinhauer; Stevens; Tulson; Verchio; Werner; Westra; Wiik; Willadsen; Wollmann; Zikmund; Speaker Wink

22

Excused:

23

Kaiser; Rasmussen

24

25

So the motion having received an affirmative vote of a majority of the members-elect, the Speaker declared the motion carried and HCR 1007 was adopted.

1 HCR 1015 Introduced by: Representatives Hunt, Anderson, Beal, Bolin, Brunner, Conzet,
2 Cronin, Dryden, Feickert, Gosch, Greenfield (Lana), Haggart (Don), Harrison, Haugaard,
3 Holmes, Hunhoff (Jean), Langer, Latterell, Mickelson, Munsterman, Otten (Herman), Qualm,
4 Rasmussen, Ring, Rounds, Rozum, Russell, Schaefer, Stalzer, Steinhauer, Stevens, Tulson,
5 Verchio, Wiik, Willadsen, Wink, and Zikmund and Senators Tieszen, Brown, Cammack,
6 Frerichs, Haggart (Jenna), Monroe, Otten (Ernie), Peterson (Jim), Sohlt, Solano, and White

7 A CONCURRENT RESOLUTION, Commending Taiwan's presidential election; supporting
8 Taiwan's efforts to secure entry to the Trans-Pacific Partnership (TPP) and the signing of
9 the Free Trade Agreement (FTA) and the Bilateral Investment Agreement (BIA) with the
10 United States; and reaffirming support for increasing Taiwan's international profile and for
11 strengthening and expanding sister-state ties between South Dakota and Taiwan.

12 WHEREAS, the State of South Dakota is proud of the sister-state relationship it has enjoyed
13 with Taiwan since 1984 marked by strong bilateral economic, social and cultural exchange, and
14 tourism; and

15 WHEREAS, Taiwan shares the same values of freedom, democracy, human rights, the rule
16 of law, peace, and prosperity with the United States and the State of South Dakota; and

17 WHEREAS, on January 16, 2016, Taiwan held its sixth direct presidential election,
18 demonstrating again the strength and vitality of its democratic system and confirming that
19 Taiwan is a beacon of democracy in Asia and beyond; and

20 WHEREAS, the United States ranks as Taiwan's third largest trading partner, Taiwan is the
21 tenth largest trading partner of the United States, and bilateral trade reached \$67.4 billion in
22 2014; and

23 WHEREAS, every other year, Taiwan has sent an agricultural trade goodwill mission to the
24 United States midwestern region, including South Dakota, to demonstrate Taiwan's continuing
25 goodwill and willingness to purchase South Dakota agricultural products and the South Dakota
26 agricultural industry has benefited greatly over the past two decades from the sale of beef,
27 wheat, and corn to Taiwan; and

28 WHEREAS, the commercial interaction between South Dakota and Taiwan has grown
29 substantially with each passing year, resulting in increased economic growth for both Taiwan
30 and South Dakota; and

31 WHEREAS, negotiations for a bilateral investment agreement between Taiwan and the
32 United States are an important step toward further strengthening bilateral trade and paving the
33 way for entering into a free trade agreement between our countries, thereby increasing South
34 Dakota's exports to Taiwan and creating bilateral investment through tariff reduction and other
35 trade facilitation measures; and

36 WHEREAS, Taiwan, seeking to contribute to greater regional integration in the Asia-Pacific
37 region and promotion of bilateral investment and trade relations with the United States,
38 applauds the United States' announcement to expand TPP membership in the future to include
39 other countries, such as Taiwan; and

1 WHEREAS, Taiwan's inclusion in the TPP would contribute substantially to the depth,
2 viability, and quality of the TPP. Additionally, Taiwan's strong economic weight in the
3 Asia-Pacific and the world, its well-developed knowledge base and highly skilled workforce,
4 its vital position along regional supply chains, and the positive economic and strategic gains for
5 all make Taiwan an ideal candidate economy for the TPP's expansion:

6 NOW, THEREFORE, BE IT RESOLVED, by the House of Representatives of the Ninety-
7 First Legislature of the State of South Dakota, the Senate concurring therein, that the Legislature
8 commends and supports Taiwan's mature and vital democracy as well as celebrates the
9 thirty-second anniversary of sister-state relations with Taiwan; endorses the signing of the
10 Bilateral Investment Agreement (BIA) and Free Trade Agreement (FTA) with the United States;
11 and continues to support Taiwan's appropriate participation in international organizations which
12 impact the health, safety, and well-being of its people.

13 Was read the first time and the Speaker waived the committee referral.

14 HCR 1016 Introduced by: Representatives Schrempp, Bartling, Bordeaux, Feickert,
15 Gibson, Hawks, Hawley, Killer, and McCleerey and Senators Heinert, Bradford, Buhl
16 O'Donnell, Hunhoff (Bernie), Peterson (Jim), and Sutton

17 A CONCURRENT RESOLUTION, Expressing and encouraging support for the continued use
18 of country-of-origin labels on meat products sold to consumers.

19 WHEREAS, in 2008 the United States Congress passed a mandatory country-of-origin
20 labeling for muscle cuts of meat sold at retail, which required meat produced in the United
21 States from imported livestock to bear a different label than meat produced from United States
22 born livestock; and

23 WHEREAS, in 2013 the United States Department of Agriculture issued new regulations
24 that provided additional information to the consumer on where meat was born, raised, and
25 harvested; and

26 WHEREAS, trade groups and the organizations representing multinational meatpackers
27 worked predominantly with Canada, as well as Mexico, to bring a World Trade Organization
28 (WTO) case against the United States for the removal of the labeling requirements; and

29 WHEREAS, in May 2015 the WTO issued a final ruling that the United States'
30 country-of-origin labeling regime was out of compliance with WTO regulations because it
31 required the segregation of imported animals; and

32 WHEREAS, Canada and Mexico have asked the WTO for permission to retaliate against
33 the United States for damages that have yet to be proven; and

34 WHEREAS, Doctor Robert Taylor, of Auburn University, issued a study in February of
35 2015 demonstrating that Canadian and Mexican beef feeder and fat cattle markets were not
36 affected by country-of-origin labeling and that feeder cattle and fat cattle imported from both
37 Mexico and Canada were not affected by the country-of-origin labeling; and

1 WHEREAS, consumers have repeatedly and overwhelmingly expressed their support for
2 country of origin labeling of food products in the United States:

3 NOW, THEREFORE, BE IT RESOLVED, by the House of Representatives of the Ninety-
4 First Legislature of the State of South Dakota, the Senate concurring therein, that the Legislature
5 will continue to support consumers' right to know where their food comes from and support the
6 use of country-of-origin labels.

7 Was read the first time and the Speaker waived the committee referral.

8 HCR 1017 Introduced by: Representatives Deutsch, Anderson, Bolin, Brunner, Campbell,
9 Craig, Greenfield (Lana), Haggar (Don), Haugaard, Holmes, Klumb, Langer, Latterell, Marty,
10 May, Munsterman, Peterson (Kent), Qualm, Rasmussen, Russell, Schoenbeck, Stevens, Tulson,
11 Verchio, Werner, and Wiik and Senators Greenfield (Brock), Brown, Cammack, Curd, Ewing,
12 Fiegen, Haggar (Jenna), Haverly, Heineman (Phyllis), Holien, Jensen (Phil), Monroe, Novstrup
13 (David), Olson, Omdahl, Otten (Ernie), Peters, Rampelberg, Rusch, Shorma, Solano, Sutton,
14 Tidemann, Tieszen, Van Gerpen, and White

15 A CONCURRENT RESOLUTION, Commending the nation of Israel for its cordial and
16 mutually beneficial relationship with the United States and with the State of South Dakota.

17 WHEREAS, Israel has been granted her lands under and through the oldest recorded deed,
18 as recorded in the Old Testament scriptures held sacred and revered by Jews and Christians
19 alike, as presenting the acts and words of God; and

20 WHEREAS, the claim and presence of the Jewish people in Israel has remained constant
21 throughout the past four thousand years of history; and

22 WHEREAS, the legal basis for the establishment of the modern state of Israel was a binding
23 resolution under international law, which was unanimously adopted by the League of Nations
24 in 1922 and subsequently affirmed by both houses of the United States Congress; and

25 WHEREAS, this resolution affirmed the establishment of a national home for the Jewish
26 people in the historical region of the land of Israel, including the areas of Judea, Samaria, and
27 Jerusalem; and

28 WHEREAS, Article 80 of the United Nations Charter 22 recognized the continued validity
29 of the rights granted to states or peoples which already existed under international instruments,
30 and therefore the 1922 League of Nations resolution remains valid, and the six hundred fifty
31 thousand Jews currently residing in the areas of Judea, Samaria, and eastern Jerusalem reside
32 there legitimately; and

33 WHEREAS, Israel declared its independence and self-governance on May 14, 1948, with
34 the goal of reestablishing its God-given and legally recognized lands as a homeland for the
35 Jewish people; and

1 WHEREAS, the United States, having been the first country to recognize Israel as an
2 independent nation and as Israel's principal ally, has enjoyed a close and mutually beneficial
3 relationship with Israel and her people; and

4 WHEREAS, there are increasing incidents of anti-Semitism around the world, including
5 across the United States reflected in official hate crime statistics; and

6 WHEREAS, the international boycott, divestment, and sanctions movement is one of the
7 main vehicles for spreading anti-Semitism and advocating the elimination of the Jewish State;
8 and

9 WHEREAS, the dramatic increase in boycott, divestment, and sanctions campaign activities
10 on college campuses around the country has resulted in increased animosity and intimidation
11 against Jewish students, negatively impacting student programming related to the State of Israel
12 and politics in the Middle East; and

13 WHEREAS, leaders of the boycott, divestment, and sanctions movement say their goal is
14 to eliminate Israel as the home of the Jewish people; and

15 WHEREAS, messaging at anti-Israel rallies has adopted the boycott, divestment, and
16 sanctions slogan: "from the river to the sea Palestine will be free" which means that there would
17 be no Israel between the Jordan River and Mediterranean Sea and that the State of Israel will
18 cease to exist; and

19 WHEREAS, Israel is the greatest friend and ally of the United States in the Middle East and
20 the values of our two nations are so intertwined that it is impossible to separate one from the
21 other; and

22 WHEREAS, there are those in the Middle East who have continually sought to destroy
23 Israel, from the time of its inception as a state, and those same enemies of Israel also hate, and
24 seek to destroy, the United States; and

25 WHEREAS, the promise of the God of Israel, who is the God stated in our Constitution, is
26 that He will bless those who bless Israel, and be it known that the State of South Dakota openly
27 blesses Israel with gratitude for our cordial and mutually beneficial relations since 1948, a
28 friendship that continues to strengthen with each passing year:

29 NOW, THEREFORE, BE IT RESOLVED, by the House of Representatives of the Ninety-
30 First Legislature of the State of South Dakota, the Senate concurring therein, that the Legislature
31 commends Israel for its cordial and mutually beneficial relationship with the United States and
32 with the State of South Dakota, supports Israel in its legal, historical, moral, and God-given
33 right of self-governance and self-defense upon the entirety of its own lands, and recognizes that
34 Israel is neither an attacking force nor an occupier of the lands of others, and that peace can be
35 afforded the region only through a whole and united Israel; and

36 BE IT FURTHER RESOLVED, that the secretary of the House of Representatives prepare
37 copies of this resolution and forward them to the President of the United States, the speaker and
38 clerk of the United States House of Representatives, the president and secretary of the United

1 States Senate, and the Israeli Embassy in Washington D.C. for transmission to the proper
2 authorities in the State of Israel.

3 Was read the first time and the Speaker waived the committee referral.

4 Rep. Gosch moved that when we adjourn today, we adjourn to convene at 12:30 p.m. on
5 Thursday, February 25, the 28th legislative day.

6 Which motion prevailed.

7 **CONSIDERATION OF REPORTS OF COMMITTEES**

8 Rep. Gosch moved that the reports of the Standing Committees on

9 Education on HB 1096 as found on page 626 of the House Journal; also

10 Education on HB 1220 as found on page 627 of the House Journal; also

11 Agriculture and Natural Resources on SB 58 as found on page 629 of the House Journal;
12 also

13 Local Government on HB 1218 as found on page 630 of the House Journal be adopted.

14 Which motion prevailed.

15 **FIRST READING OF SENATE BILLS AND JOINT RESOLUTIONS**

16 SB 16: FOR AN ACT ENTITLED, An Act to establish a fee for a nursery license and to
17 increase fees for nursery inspection.

18 Was read the first time and the Speaker waived the referral to the standing committee
19 pursuant to Joint Rule 6D-1.

20 SB 72: FOR AN ACT ENTITLED, An Act to prohibit the abortion of an unborn child who
21 is capable of experiencing pain and to provide a penalty therefor.

22 Was read the first time and referred to the Committee on State Affairs.

SB 112: FOR AN ACT ENTITLED, An Act to revise certain provisions concerning tax increment districts.

Was read the first time and referred to the Committee on Taxation.

SB 118: FOR AN ACT ENTITLED, An Act to exempt certain purchases from certain bidding requirements.

Was read the first time and referred to the Committee on Commerce and Energy.

SB 131: FOR AN ACT ENTITLED, An Act to establish a target teacher salary and a target teacher ratio, to revise certain provisions regarding education funding, to create the School Finance Accountability Board, and to provide for certain school district reporting and penalties.

Was read the first time and referred to the House Committee on Appropriations

SB 171: FOR AN ACT ENTITLED, An Act to authorize the limited use of certain types of medical marijuana.

Was read the first time and referred to the Committee on Health and Human Services.

SECOND READING OF CONSENT CALENDAR ITEMS

HB 1236: FOR AN ACT ENTITLED, An Act to define a halfway house.

Was read the second time.

The question being "Shall HB 1236 pass?"

And the roll being called:

Yeas 68, Nays 0, Excused 2, Absent 0

Yeas:

Anderson; Bartling; Beal; Bolin; Bordeaux; Brunner; Campbell; Conzet; Craig; Cronin; Deutsch; DiSanto; Dryden; Duvall; Feickert; Gibson; Gosch; Greenfield (Lana); Haggard (Don); Harrison; Haugaard; Hawks; Hawley; Heinemann (Leslie); Holmes; Hunhoff (Jean); Hunt; Jensen (Alex); Johns; Killer; Kirschman; Klumb; Langer; Latterell; Marty; May; McCleerey; Mickelson; Munsterman; Novstrup (Al); Otten (Herman); Partridge; Peterson (Kent); Qualm; Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenbeck; Schoenfish; Schrempp; Sly; Soli; Solum; Stalzer; Steinhauer; Stevens; Tulson; Verchio; Werner; Westra; Wiik; Willadsen; Wollmann; Zikmund; Speaker Wink

1 Excused:
2 Kaiser; Rasmussen

3 So the bill having received an affirmative vote of a majority of the members-elect, the
4 Speaker declared the bill passed and the title was agreed to.

5 HB 1099: FOR AN ACT ENTITLED, An Act to revise certain campaign finance
6 provisions.

7 Was read the second time.

8 The question being "Shall HB 1099 pass?"

9 And the roll being called:

10 Yeas 68, Nays 0, Excused 2, Absent 0

11 Yeas:

12 Anderson; Bartling; Beal; Bolin; Bordeaux; Brunner; Campbell; Conzet; Craig; Cronin;
13 Deutsch; DiSanto; Dryden; Duvall; Feickert; Gibson; Gosch; Greenfield (Lana); Haggard (Don);
14 Harrison; Haugaard; Hawks; Hawley; Heinemann (Leslie); Holmes; Hunhoff (Jean); Hunt;
15 Jensen (Alex); Johns; Killer; Kirschman; Klumb; Langer; Latterell; Marty; May; McCleerey;
16 Mickelson; Munsterman; Novstrup (Al); Otten (Herman); Partridge; Peterson (Kent); Qualm;
17 Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenbeck; Schoenfish; Schrempp; Sly;
18 Soli; Solum; Stalzer; Steinhauer; Stevens; Tulson; Verchio; Werner; Westra; Wiik; Willadsen;
19 Wollmann; Zikmund; Speaker Wink

20 Excused:
21 Kaiser; Rasmussen

22 So the bill having received an affirmative vote of a majority of the members-elect, the
23 Speaker declared the bill passed and the title was agreed to.

24 SB 138: FOR AN ACT ENTITLED, An Act to authorize the construction of a nursing
25 home facility in Rosebud, South Dakota.

26 Was read the second time.

27 The question being "Shall SB 138 pass as amended?"

28 And the roll being called:

29 Yeas 68, Nays 0, Excused 2, Absent 0

1 Yeas:

2 Anderson; Bartling; Beal; Bolin; Bordeaux; Brunner; Campbell; Conzet; Craig; Cronin;
3 Deutsch; DiSanto; Dryden; Duvall; Feickert; Gibson; Gosch; Greenfield (Lana); Haggard (Don);
4 Harrison; Haugaard; Hawks; Hawley; Heinemann (Leslie); Holmes; Hunhoff (Jean); Hunt;
5 Jensen (Alex); Johns; Killer; Kirschman; Klumb; Langer; Latterell; Marty; May; McCleerey;
6 Mickelson; Munsterman; Novstrup (Al); Otten (Herman); Partridge; Peterson (Kent); Qualm;
7 Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenbeck; Schoenfish; Schrempp; Sly;
8 Soli; Solum; Stalzer; Steinhauer; Stevens; Tulson; Verchio; Werner; Westra; Wiik; Willadsen;
9 Wollmann; Zikmund; Speaker Wink

10 Excused:

11 Kaiser; Rasmussen

12 So the bill having received an affirmative vote of a majority of the members-elect, the
13 Speaker declared the bill passed and the title was agreed to.

14 SB 66: FOR AN ACT ENTITLED, An Act to permit the issuance of special license plates
15 to parents of certain individuals

16 Was read the second time.

17 The question being "Shall SB 66 pass as amended?"

18 And the roll being called:

19 Yeas 68, Nays 0, Excused 2, Absent 0

20 Yeas:

21 Anderson; Bartling; Beal; Bolin; Bordeaux; Brunner; Campbell; Conzet; Craig; Cronin;
22 Deutsch; DiSanto; Dryden; Duvall; Feickert; Gibson; Gosch; Greenfield (Lana); Haggard (Don);
23 Harrison; Haugaard; Hawks; Hawley; Heinemann (Leslie); Holmes; Hunhoff (Jean); Hunt;
24 Jensen (Alex); Johns; Killer; Kirschman; Klumb; Langer; Latterell; Marty; May; McCleerey;
25 Mickelson; Munsterman; Novstrup (Al); Otten (Herman); Partridge; Peterson (Kent); Qualm;
26 Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenbeck; Schoenfish; Schrempp; Sly;
27 Soli; Solum; Stalzer; Steinhauer; Stevens; Tulson; Verchio; Werner; Westra; Wiik; Willadsen;
28 Wollmann; Zikmund; Speaker Wink

29 Excused:

30 Kaiser; Rasmussen

31 So the bill having received an affirmative vote of a majority of the members-elect, the
32 Speaker declared the bill passed and the title was agreed to.

1 **SECOND READING OF HOUSE BILLS AND JOINT RESOLUTIONS**

2 HB 1080: FOR AN ACT ENTITLED, An Act to make an appropriation and to transfer
3 certain money to the Bureau of Administration to fund a design study for a potential expansion
4 and upgrade to the State Animal Disease Research and Diagnostic Laboratory and to declare an
5 emergency.

6 Having had its second reading was up for consideration and final passage.

7 The question being "Shall HB 1080 pass?"

8 And the roll being called:

9 Yeas 66, Nays 2, Excused 2, Absent 0

10 Yeas:

11 Anderson; Bartling; Beal; Bolin; Bordeaux; Brunner; Campbell; Conzet; Craig; Cronin;
12 Deutsch; DiSanto; Dryden; Duvall; Feickert; Gibson; Gosch; Greenfield (Lana); Haggar (Don);
13 Harrison; Hawks; Hawley; Heinemann (Leslie); Holmes; Hunhoff (Jean); Hunt; Jensen (Alex);
14 Johns; Killer; Kirschman; Klumb; Langer; Latterell; Marty; May; McCleerey; Mickelson;
15 Munsterman; Novstrup (Al); Otten (Herman); Partridge; Peterson (Kent); Qualm; Ring;
16 Romkema; Rounds; Rozum; Russell; Schaefer; Schoenbeck; Schoenfish; Schrempp; Sly; Soli;
17 Solum; Stalzer; Steinhauer; Stevens; Tulson; Werner; Westra; Wiik; Willadsen; Wollmann;
18 Zikmund; Speaker Wink

19 Nays:

20 Haugaard; Verchio

21 Excused:

22 Kaiser; Rasmussen

23 So the bill having received an affirmative vote of a two-thirds majority of the members-
24 elect, the Speaker declared the bill passed and the title was agreed to.

25 HB 1161: FOR AN ACT ENTITLED, An Act to provide for and regulate consumer lines
26 of credit and to provide a penalty for certain violations.

27 Having had its second reading was up for consideration and final passage.

1 1161sb

2 Rep. Langer moved that HB 1161 be amended as follows:

3 On page 5 of the House State Affairs Committee engrossed bill, delete lines 3 to 7,
4 inclusive, and insert "The applicant is subject to the original license fee established by § 54-4-
5 40. If the application of an existing licensee is for an additional location, the application need
6 only include the location and identity of the location manager, plus any changes from the
7 existing license, and any other information the director considers necessary."

8 On page 6, delete lines 18 to 24, inclusive, and insert:

9 " A license expires on December thirty-first. To renew a license, the licensee shall submit
10 an application for renewal by December first. The renewal application is subject to the renewal
11 fee established by § 54-4-40, proof of surety bond, and any other information as required by the
12 director, by rule or order. Any licensee that submits an application for renewal after December
13 first but before January first of the next calendar year is subject to the late fee established by
14 § 54-4-40. After December thirty-first, no license may be issued unless an application is filed
15 pursuant to section 12 of this Act."

16 On page 7, delete lines 1 and 2.

17 On page 9, delete lines 13 and 14, and insert:

18 " Any money received by the division pursuant to this Act shall be deposited in the state
19 general fund."

20 On page 9, delete lines 16 to 19, inclusive, and insert:

21 " Each licensee, whether a corporation or otherwise, is subject to the annual tax imposed by
22 § 10-43-2, measured by the net income assignable to the business in South Dakota."

23 Which motion prevailed.

24 The question being "Shall HB 1161 pass as amended?"

25 And the roll being called:

26 Yeas 21, Nays 47, Excused 2, Absent 0

27 Yeas:

28 Beal; Brunner; Campbell; Cronin; DiSanto; Gosch; Hagggar (Don); Harrison; Haugaard; Hunt;
29 Langer; Marty; Rounds; Schaefer; Solum; Stalzer; Verchio; Werner; Wiik; Willadsen; Speaker
30 Wink

1 Nays:

2 Anderson; Bartling; Bolin; Bordeaux; Conzet; Craig; Deutsch; Dryden; Duvall; Feickert;
3 Gibson; Greenfield (Lana); Hawks; Hawley; Heinemann (Leslie); Holmes; Hunhoff (Jean);
4 Jensen (Alex); Johns; Killer; Kirschman; Klumb; Latterell; May; McCleerey; Mickelson;
5 Munsterman; Novstrup (Al); Otten (Herman); Partridge; Peterson (Kent); Qualm; Ring;
6 Romkema; Rozum; Russell; Schoenbeck; Schoenfish; Schrempp; Sly; Soli; Steinhauer;
7 Stevens; Tulson; Westra; Wollmann; Zikmund

8 Excused:

9 Kaiser; Rasmussen

10 So the bill not having received an affirmative vote of a majority of the members-elect, the
11 Speaker declared the bill lost.

12 HB 1198: FOR AN ACT ENTITLED, An Act to recognize dyslexia as a learning
13 disability.

14 Having had its second reading was up for consideration and final passage.

15 The question being "Shall HB 1198 pass?"

16 And the roll being called:

17 Yeas 61, Nays 6, Excused 3, Absent 0

18 Yeas:

19 Beal; Bolin; Bordeaux; Brunner; Campbell; Conzet; Craig; Deutsch; DiSanto; Dryden; Duvall;
20 Feickert; Gibson; Gosch; Greenfield (Lana); Haggard (Don); Harrison; Haugaard; Hawks;
21 Hawley; Heinemann (Leslie); Holmes; Hunt; Jensen (Alex); Johns; Killer; Kirschman; Klumb;
22 Langer; Latterell; Marty; May; McCleerey; Mickelson; Munsterman; Novstrup (Al); Peterson
23 (Kent); Qualm; Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenbeck; Schoenfish;
24 Schrempp; Sly; Soli; Solum; Stalzer; Steinhauer; Tulson; Verchio; Werner; Westra; Wiik;
25 Willadsen; Wollmann; Zikmund; Speaker Wink

26 Nays:

27 Anderson; Bartling; Hunhoff (Jean); Otten (Herman); Partridge; Stevens

28 Excused:

29 Cronin; Kaiser; Rasmussen

30 So the bill having received an affirmative vote of a majority of the members-elect, the
31 Speaker declared the bill passed and the title was agreed to.

1 Rep. Gosch moved that HB 1143, 1144, and 1145 be placed to follow HB 1218 on today's
2 calendar.

3 Which motion prevailed.

4 HJR 1002: A JOINT RESOLUTION, To apply for a Convention of the States under
5 Article V of the Constitution of the United States.

6 Was read the second time.

7 The question being "Shall HJR 1002 pass?"

8 And the roll being called:

9 Yeas 35, Nays 33, Excused 2, Absent 0

10 Yeas:

11 Anderson; Beal; Bolin; Craig; Cronin; Deutsch; DiSanto; Gosch; Greenfield (Lana); Haggar
12 (Don); Harrison; Haugaard; Heinemann (Leslie); Hunt; Killer; Langer; Latterell; Mickelson;
13 Munsterman; Novstrup (Al); Partridge; Peterson (Kent); Qualm; Schaefer; Stalzer; Steinhauer;
14 Tulson; Verchio; Werner; Westra; Wiik; Willadsen; Wollmann; Zikmund; Speaker Wink

15 Nays:

16 Bartling; Bordeaux; Brunner; Campbell; Conzet; Dryden; Duvall; Feickert; Gibson; Hawks;
17 Hawley; Holmes; Hunhoff (Jean); Jensen (Alex); Johns; Kirschman; Klumb; Marty; May;
18 McCleerey; Otten (Herman); Ring; Romkema; Rounds; Rozum; Russell; Schoenbeck;
19 Schoenfish; Schrempp; Sly; Soli; Solum; Stevens

20 Excused:

21 Kaiser; Rasmussen

22 So the resolution not having received an affirmative vote of a majority of the members-
23 elect, the Speaker declared the resolution lost.

24 Rep. Latterell announced his intention to reconsider the vote by which HJR 1002 lost.

25 HB 1242: FOR AN ACT ENTITLED, An Act to authorize parents to request a security
26 freeze for their child's credit report until the age of eighteen.

27 Was read the second time.

28 The question being "Shall HB 1242 pass as amended?"

29 And the roll being called:

1 Yeas 66, Nays 2, Excused 2, Absent 0

2 Yeas:

3 Anderson; Bartling; Beal; Bolin; Bordeaux; Brunner; Campbell; Conzet; Craig; Cronin;
4 Deutsch; DiSanto; Dryden; Duvall; Feickert; Gibson; Gosch; Greenfield (Lana); Haggar (Don);
5 Harrison; Haugaard; Hawks; Hawley; Heinemann (Leslie); Holmes; Hunhoff (Jean); Jensen
6 (Alex); Johns; Killer; Kirschman; Klumb; Langer; Latterell; Marty; May; McCleerey;
7 Mickelson; Munsterman; Novstrup (Al); Otten (Herman); Partridge; Peterson (Kent); Qualm;
8 Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenbeck; Schoenfish; Schrempp; Sly;
9 Soli; Solum; Stalzer; Steinhauer; Stevens; Tulson; Verchio; Werner; Westra; Wiik; Wollmann;
10 Zikmund; Speaker Wink

11 Nays:

12 Hunt; Willadsen

13 Excused:

14 Kaiser; Rasmussen

15 So the bill having received an affirmative vote of a majority of the members-elect, the
16 Speaker declared the bill passed.

17 The question being on the title.

18 1242yta

19 Rep. Gibson moved that the title to HB 1242 be amended as follows:

20 On page 1, line 2, of the House Commerce and Energy Committee engrossed bill, delete
21 "until the age of eighteen".

22 Which motion prevailed and the title was so amended.

23 HB 1234: FOR AN ACT ENTITLED, An Act to require the approval of the Legislature
24 before the state adopts certain changes to the Medicaid program.

25 Was read the second time.

26 The question being "Shall HB 1234 pass as amended?"

27 And the roll being called:

28 Yeas 42, Nays 26, Excused 2, Absent 0

1 Yeas:

2 Anderson; Beal; Bolin; Brunner; Campbell; Conzet; Craig; DiSanto; Duvall; Gosch; Greenfield
3 (Lana); Hagggar (Don); Harrison; Haugaard; Heinemann (Leslie); Hunt; Klumb; Langer;
4 Latterell; Marty; May; Mickelson; Novstrup (Al); Otten (Herman); Peterson (Kent); Qualm;
5 Rounds; Russell; Schaefer; Schoenbeck; Solum; Stalzer; Steinhauer; Stevens; Tulson; Verchio;
6 Werner; Westra; Wiik; Willadsen; Wollmann; Zikmund

7 Nays:

8 Bartling; Bordeaux; Cronin; Deutsch; Dryden; Feickert; Gibson; Hawks; Hawley; Holmes;
9 Hunhoff (Jean); Jensen (Alex); Johns; Killer; Kirschman; McCleerey; Munsterman; Partridge;
10 Ring; Romkema; Rozum; Schoenfish; Schrempp; Sly; Soli; Speaker Wink

11 Excused:

12 Kaiser; Rasmussen

13 So the bill having received an affirmative vote of a majority of the members-elect, the
14 Speaker declared the bill passed and the title was agreed to.

15 HB 1068: FOR AN ACT ENTITLED, An Act to revise provisions related to the
16 conversion of nonprofit corporations.

17 Was read the second time.

18 The question being "Shall HB 1068 pass as amended?"

19 And the roll being called:

20 Yeas 67, Nays 0, Excused 3, Absent 0

21 Yeas:

22 Anderson; Bartling; Beal; Bolin; Bordeaux; Brunner; Campbell; Conzet; Craig; Cronin;
23 Deutsch; DiSanto; Dryden; Duvall; Feickert; Gibson; Gosch; Greenfield (Lana); Hagggar (Don);
24 Harrison; Haugaard; Hawks; Hawley; Heinemann (Leslie); Holmes; Hunhoff (Jean); Hunt;
25 Jensen (Alex); Johns; Killer; Kirschman; Klumb; Langer; Latterell; Marty; May; Mickelson;
26 Munsterman; Novstrup (Al); Otten (Herman); Partridge; Peterson (Kent); Qualm; Ring;
27 Romkema; Rounds; Rozum; Russell; Schaefer; Schoenbeck; Schoenfish; Schrempp; Sly; Soli;
28 Solum; Stalzer; Steinhauer; Stevens; Tulson; Verchio; Werner; Westra; Wiik; Willadsen;
29 Wollmann; Zikmund; Speaker Wink

30 Excused:

31 Kaiser; McCleerey; Rasmussen

32 So the bill having received an affirmative vote of a majority of the members-elect, the
33 Speaker declared the bill passed and the title was agreed to.

1 HB 1088: FOR AN ACT ENTITLED, An Act to revise and consolidate certain civil
2 forfeiture provisions.

3 Was read the second time.

4 The question being "Shall HB 1088 pass as amended?"

5 And the roll being called:

6 Yeas 46, Nays 21, Excused 3, Absent 0

7 Yeas:

8 Anderson; Bartling; Beal; Bolin; Brunner; Campbell; Craig; Deutsch; DiSanto; Duvall;
9 Greenfield (Lana); Haggar (Don); Harrison; Hawley; Heinemann (Leslie); Holmes; Hunhoff
10 (Jean); Hunt; Johns; Killer; Klumb; Langer; Latterell; Marty; May; Mickelson; Novstrup (Al);
11 Otten (Herman); Peterson (Kent); Qualm; Rounds; Rozum; Russell; Schaefer; Schoenbeck;
12 Schoenfish; Sly; Solum; Stalzer; Steinhauer; Stevens; Tulson; Westra; Willadsen; Wollmann;
13 Speaker Wink

14 Nays:

15 Bordeaux; Conzet; Cronin; Dryden; Feickert; Gibson; Gosch; Haugaard; Hawks; Jensen (Alex);
16 Kirschman; Munsterman; Partridge; Ring; Romkema; Schrempp; Soli; Verchio; Werner; Wiik;
17 Zikmund

18 Excused:

19 Kaiser; McCleerey; Rasmussen

20 So the bill not having received an affirmative vote of a two-thirds majority of the
21 members-elect, the Speaker declared the bill lost.

22 Rep. Haggar announced his intention to reconsider the vote by which HB 1088 lost.

23 HB 1134: FOR AN ACT ENTITLED, An Act to provide for access to certain property for
24 the purpose of making surveys.

25 Was read the second time.

26 The question being "Shall HB 1134 pass as amended?"

27 And the roll being called:

28 Yeas 65, Nays 0, Excused 5, Absent 0

1 Yeas:

2 Anderson; Bartling; Bolin; Bordeaux; Brunner; Campbell; Conzet; Craig; Deutsch; DiSanto;
3 Dryden; Duvall; Feickert; Gibson; Gosch; Greenfield (Lana); Hagggar (Don); Harrison;
4 Haugaard; Hawks; Hawley; Heinemann (Leslie); Holmes; Hunhoff (Jean); Hunt; Jensen (Alex);
5 Johns; Killer; Kirschman; Klumb; Langer; Latterell; Marty; May; McCleerey; Mickelson;
6 Munsterman; Novstrup (Al); Otten (Herman); Partridge; Peterson (Kent); Qualm; Ring;
7 Romkema; Rounds; Rozum; Russell; Schaefer; Schoenbeck; Schoenfish; Schrempp; Sly; Soli;
8 Stalzer; Steinhauer; Stevens; Tulson; Verchio; Werner; Westra; Wiik; Willadsen; Wollmann;
9 Zikmund; Speaker Wink

10 Excused:

11 Beal; Cronin; Kaiser; Rasmussen; Solum

12 So the bill having received an affirmative vote of a majority of the members-elect, the
13 Speaker declared the bill passed and the title was agreed to.

14 HB 1225: FOR AN ACT ENTITLED, An Act to provide for the forfeiture and disposition
15 of certain property utilized in acts of terrorism.

16 Was read the second time.

17 The question being "Shall HB 1225 pass as amended?"

18 And the roll being called:

19 Yeas 67, Nays 0, Excused 3, Absent 0

20 Yeas:

21 Anderson; Bartling; Beal; Bolin; Bordeaux; Brunner; Campbell; Conzet; Craig; Cronin;
22 Deutsch; DiSanto; Dryden; Duvall; Feickert; Gibson; Gosch; Greenfield (Lana); Harrison;
23 Haugaard; Hawks; Hawley; Heinemann (Leslie); Holmes; Hunhoff (Jean); Hunt; Jensen (Alex);
24 Johns; Killer; Kirschman; Klumb; Langer; Latterell; Marty; May; McCleerey; Mickelson;
25 Munsterman; Novstrup (Al); Otten (Herman); Partridge; Peterson (Kent); Qualm; Ring;
26 Romkema; Rounds; Rozum; Russell; Schaefer; Schoenbeck; Schoenfish; Schrempp; Sly; Soli;
27 Solum; Stalzer; Steinhauer; Stevens; Tulson; Verchio; Werner; Westra; Wiik; Willadsen;
28 Wollmann; Zikmund; Speaker Wink

29 Excused:

30 Hagggar (Don); Kaiser; Rasmussen

31 So the bill having received an affirmative vote of a two-thirds majority of the members-
32 elect, the Speaker declared the bill passed and the title was agreed to.

1 HB 1146: FOR AN ACT ENTITLED, An Act to authorize the Governor to enter
2 agreements with Indian tribes regarding the high school equivalency tests administered on
3 Indian reservations.

4 Was read the second time.

5 Rep. Gosch moved the previous question.

6 Which motion prevailed.

7 The question being "Shall HB 1146 pass?"

8 And the roll being called:

9 Yeas 66, Nays 2, Excused 2, Absent 0

10 Yeas:

11 Anderson; Bartling; Beal; Bolin; Bordeaux; Brunner; Campbell; Conzet; Craig; Cronin;
12 Deutsch; DiSanto; Dryden; Duvall; Feickert; Gibson; Gosch; Greenfield (Lana); Haggard (Don);
13 Harrison; Haugaard; Hawks; Hawley; Heinemann (Leslie); Holmes; Hunhoff (Jean); Hunt;
14 Johns; Killer; Kirschman; Klumb; Langer; Latterell; Marty; May; McCleerey; Mickelson;
15 Munsterman; Novstrup (Al); Otten (Herman); Partridge; Peterson (Kent); Qualm; Ring;
16 Rounds; Rozum; Russell; Schaefer; Schoenbeck; Schoenfish; Schrempp; Sly; Soli; Solum;
17 Stalzer; Steinhauer; Stevens; Tulson; Verchio; Werner; Westra; Wiik; Willadsen; Wollmann;
18 Zikmund; Speaker Wink

19 Nays:

20 Jensen (Alex); Romkema

21 Excused:

22 Kaiser; Rasmussen

23 So the bill having received an affirmative vote of a majority of the members-elect, the
24 Speaker declared the bill passed and the title was agreed to.

25 HB 1147: FOR AN ACT ENTITLED, An Act to prohibit school districts from using
26 school or athletic team names, mascots, or nicknames that are determined to be racially
27 derogatory or discriminatory.

28 Was read the second time.

1 1147ca

2 Rep. Bordeaux moved that HB 1147 be amended as follows:

3 On the printed bill, delete everything after the enacting clause and insert:

4 " Section 1. That the code be amended by adding a NEW SECTION to read:

5 The use of racially derogatory or discriminatory school or athletic team names, mascots,
6 nicknames, logos, imagery, or celebrations depicting Native Americans and Native American
7 culture is prohibited in any public school district.

8 Section 2. That the code be amended by adding a NEW SECTION to read:

9 The provisions of this Act do not apply to any public school district that:

- 10 (1) Is located on or near an Indian reservation;
- 11 (2) Serves a student population of which at least fifty percent is comprised of Native
12 American students; and
- 13 (3) Obtains the written permission of the government of the federally recognized tribe
14 with tribal land closest to the school district to use the school or athletic team name,
15 mascot, nickname, logo, imagery, or celebration depicting Native Americans and
16 Native American culture.

17 Section 3. That the code be amended by adding a NEW SECTION to read:

18 Any public school district using a school or athletic team name, mascot, nickname, logo,
19 imagery, or celebration depicting Native Americans and Native American culture prohibited in
20 section 1 of this Act shall discontinue its use.

21 Section 4. That the code be amended by adding a NEW SECTION to read:

22 Notwithstanding the provisions of section 3 of this Act, a public school district may
23 continue to use uniforms or other materials bearing the racially derogatory or discriminatory
24 term or imagery that were purchased prior to the effective date of this Act for a period of no
25 longer than five years if the public school district meets the following requirements:

- 26 (1) The school selects a new school or athletic team name, mascot, nickname, or logo;
- 27 (2) The school refrains from purchasing or acquiring, for the purpose of distribution or
28 sale to students or school employees, any uniform that includes or bears the racially
29 derogatory or discriminatory term or imagery;
- 30 (3) The school refrains from purchasing or acquiring, for the purpose of distribution or
31 sale to students or school employees, any yearbook, newspaper, program, or other

1 similar material that includes or bears the racially derogatory or discriminatory term
2 or imagery in its logo or cover title; and

3 (4) The school refrains from purchasing or constructing a marquee, sign, or other new
4 or replacement fixture that includes or bears the racially derogatory or discriminatory
5 term or imagery, and for any existing facility which bears the racially derogatory or
6 discriminatory term or imagery, the school shall remove the prohibited name or
7 imagery no later than the next time the associated part of the facility is replaced in
8 the normal course of maintenance, or within five years, whichever comes first."

9 A roll call vote was requested and supported.

10 Which request was supported.

11 The question being on Rep. Bordeaux's motion that HB 1147 be amended.

12 And the roll being called:

13 Yeas 41, Nays 26, Excused 3, Absent 0

14 Yeas:

15 Bartling; Beal; Bordeaux; Campbell; Conzet; DiSanto; Duvall; Feickert; Gibson; Harrison;
16 Haugaard; Hawks; Hawley; Holmes; Hunhoff (Jean); Hunt; Johns; Killer; Kirschman; Latterell;
17 May; McCleerey; Mickelson; Munsterman; Peterson (Kent); Qualm; Ring; Rounds; Schaefer;
18 Schoenbeck; Schoenfish; Schrempp; Sly; Soli; Solum; Steinhauer; Verchio; Werner;
19 Wollmann; Zikmund; Speaker Wink

20 Nays:

21 Anderson; Bolin; Brunner; Craig; Cronin; Deutsch; Dryden; Gosch; Greenfield (Lana);
22 Heinemann (Leslie); Jensen (Alex); Klumb; Langer; Marty; Novstrup (Al); Otten (Herman);
23 Partridge; Romkema; Rozum; Russell; Stalzer; Stevens; Tulson; Westra; Wiik; Willadsen

24 Excused:

25 Haggar (Don); Kaiser; Rasmussen

26 So the motion having received an affirmative vote of a majority of the members present,
27 the Speaker declared the motion carried.

28 The question being "Shall HB 1147 pass as amended?"

29 And the roll being called:

30 Yeas 22, Nays 46, Excused 2, Absent 0

1 Yeas:

2 Bartling; Bordeaux; Campbell; Feickert; Gibson; Haggart (Don); Hawks; Hawley; Johns; Killer;
3 Kirschman; May; McCleerey; Mickelson; Ring; Schaefer; Schoenfish; Schrempp; Sly; Soli;
4 Werner; Wollmann

5 Nays:

6 Anderson; Beal; Bolin; Brunner; Conzet; Craig; Cronin; Deutsch; DiSanto; Dryden; Duvall;
7 Gosch; Greenfield (Lana); Harrison; Haugaard; Heinemann (Leslie); Holmes; Hunhoff (Jean);
8 Hunt; Jensen (Alex); Klumb; Langer; Latterell; Marty; Munsterman; Novstrup (Al); Otten
9 (Herman); Partridge; Peterson (Kent); Qualm; Romkema; Rounds; Rozum; Russell;
10 Schoenbeck; Solum; Stalzer; Steinhauer; Stevens; Tulson; Verchio; Westra; Wiik; Willadsen;
11 Zikmund; Speaker Wink

12 Excused:

13 Kaiser; Rasmussen

14 So the bill not having received an affirmative vote of a majority of the members-elect, the
15 Speaker declared the bill lost.

16 Rep. Gosch moved that the House do now recess until 6:08 p.m., which motion prevailed
17 and at 5:53 p.m., the House recessed.

18 **RECESS**

19 The House reconvened at 6:08 p.m., the Speaker Pro tempore presiding.

20 There being no objection, the House reverted to Order of Business No. 8.

21 **MOTIONS AND RESOLUTIONS**

22 Rep. Latterell moved that the House do now reconsider the vote by which HJR 1002 lost.

23 The question being on Rep. Latterell's motion to reconsider the vote by which HJR 1002
24 lost.

25 And the roll being called:

26 Yeas 41, Nays 26, Excused 3, Absent 0

1 Yeas:

2 Anderson; Beal; Bolin; Conzet; Craig; Cronin; DiSanto; Dryden; Gosch; Greenfield (Lana);
3 Haggart (Don); Harrison; Haugaard; Heinemann (Leslie); Hunt; Klumb; Langer; Latterell;
4 Marty; May; Mickelson; Munsterman; Novstrup (Al); Otten (Herman); Partridge; Peterson
5 (Kent); Qualm; Schaefer; Schoenfish; Stalzer; Steinhauer; Stevens; Tulson; Verchio; Werner;
6 Westra; Wiik; Willadsen; Wollmann; Zikmund; Speaker Wink

7 Nays:

8 Bartling; Bordeaux; Brunner; Campbell; Deutsch; Duvall; Feickert; Gibson; Hawks; Hawley;
9 Holmes; Hunhoff (Jean); Jensen (Alex); Johns; Kirschman; McCleerey; Ring; Romkema;
10 Rounds; Rozum; Russell; Schoenbeck; Schrempp; Sly; Soli; Solum

11 Excused:

12 Kaiser; Killer; Rasmussen

13 So the motion having received an affirmative vote of a majority of the members-elect, the
14 Speaker declared the motion carried and HJR 1002 was up for reconsideration and final
15 passage.

16 HJR 1002: A JOINT RESOLUTION, To apply for a Convention of the States under
17 Article V of the Constitution of the United States.

18 Having had its second reading was up for reconsideration and final passage.

19 The question being "Shall HJR 1002 pass?"

20 And the roll being called:

21 Yeas 37, Nays 30, Excused 3, Absent 0

22 Yeas:

23 Anderson; Beal; Bolin; Craig; Cronin; Deutsch; DiSanto; Gosch; Greenfield (Lana); Haggart
24 (Don); Harrison; Haugaard; Heinemann (Leslie); Hunt; Klumb; Langer; Latterell; Marty; May;
25 Mickelson; Munsterman; Novstrup (Al); Partridge; Peterson (Kent); Qualm; Schaefer; Stalzer;
26 Steinhauer; Tulson; Verchio; Werner; Westra; Wiik; Willadsen; Wollmann; Zikmund; Speaker
27 Wink

28 Nays:

29 Bartling; Bordeaux; Brunner; Campbell; Conzet; Dryden; Duvall; Feickert; Gibson; Hawks;
30 Hawley; Holmes; Hunhoff (Jean); Jensen (Alex); Johns; Kirschman; McCleerey; Otten
31 (Herman); Ring; Romkema; Rounds; Rozum; Russell; Schoenbeck; Schoenfish; Schrempp; Sly;
32 Soli; Solum; Stevens

33 Excused:

34 Kaiser; Killer; Rasmussen

1 So the resolution having received an affirmative vote of a majority of the members-elect,
2 the Speaker declared the resolution passed and the title was agreed to.

3 Rep. Haggar moved that the House do now reconsider the vote by which HB 1088 lost.

4 The question being on Rep. Haggar's motion to reconsider the vote by which HB 1088 lost.

5 And the roll being called:

6 Yeas 38, Nays 29, Excused 3, Absent 0

7 Yeas:

8 Anderson; Beal; Bolin; Brunner; Campbell; Craig; DiSanto; Duvall; Greenfield (Lana); Haggar
9 (Don); Harrison; Heinemann (Leslie); Hunhoff (Jean); Hunt; Johns; Klumb; Latterell; Marty;
10 May; Mickelson; Novstrup (Al); Otten (Herman); Peterson (Kent); Qualm; Rounds; Rozum;
11 Russell; Schaefer; Schoenfish; Solum; Stalzer; Steinhauer; Stevens; Tulson; Westra; Willadsen;
12 Wollmann; Speaker Wink

13 Nays:

14 Bartling; Bordeaux; Conzet; Cronin; Deutsch; Dryden; Feickert; Gibson; Gosch; Haugaard;
15 Hawks; Hawley; Holmes; Jensen (Alex); Kirschman; Langer; McCleerey; Munsterman;
16 Partridge; Ring; Romkema; Schoenbeck; Schrempp; Sly; Soli; Verchio; Werner; Wiik;
17 Zikmund

18 Excused:

19 Kaiser; Killer; Rasmussen

20 So the motion having received an affirmative vote of a majority of the members-elect, the
21 Speaker declared the motion carried and HB 1088 was up for reconsideration and final passage.

22 HB 1088: FOR AN ACT ENTITLED, An Act to revise and consolidate certain civil
23 forfeiture provisions.

24 Having had its second reading was up for reconsideration and final passage.

25 The question being "Shall HB 1088 pass as amended?"

26 And the roll being called:

27 Yeas 40, Nays 28, Excused 2, Absent 0

1 Yeas:

2 Anderson; Beal; Bolin; Brunner; Campbell; Craig; Deutsch; DiSanto; Duvall; Greenfield
3 (Lana); Haggart (Don); Harrison; Heinemann (Leslie); Hunhoff (Jean); Hunt; Johns; Klumb;
4 Latterell; Marty; May; Mickelson; Novstrup (Al); Otten (Herman); Peterson (Kent); Qualm;
5 Rounds; Rozum; Russell; Schaefer; Schoenfish; Sly; Solum; Stalzer; Steinhauer; Stevens;
6 Tulson; Westra; Willadsen; Wollmann; Speaker Wink

7 Nays:

8 Bartling; Bordeaux; Conzet; Cronin; Dryden; Feickert; Gibson; Gosch; Haugaard; Hawks;
9 Hawley; Holmes; Jensen (Alex); Killer; Kirschman; Langer; McCleerey; Munsterman;
10 Partridge; Ring; Romkema; Schoenbeck; Schrempp; Soli; Verchio; Werner; Wiik; Zikmund

11 Excused:

12 Kaiser; Rasmussen

13 So the bill having received an affirmative vote of a majority of the members-elect, the
14 Speaker declared the bill passed and the title was agreed to.

15 There being no objection, the House proceeded to Order of Business No. 13.

16 **SECOND READING OF HOUSE BILLS AND JOINT RESOLUTIONS**

17 (continued)

18 Speaker Wink now presiding.

19 HB 1124: FOR AN ACT ENTITLED, An Act to prohibit the use of tanning devices by
20 minors.

21 Was read the second time.

22 The question being "Shall HB 1124 pass?"

23 And the roll being called:

24 Yeas 21, Nays 46, Excused 3, Absent 0

25 Yeas:

26 Bolin; Bordeaux; Conzet; Dryden; Feickert; Gibson; Hawks; Hawley; Johns; Killer; Kirschman;
27 McCleerey; Munsterman; Otten (Herman); Partridge; Ring; Romkema; Schrempp; Sly; Soli;
28 Speaker Wink

1 Nays:

2 Anderson; Bartling; Beal; Brunner; Campbell; Craig; Cronin; Deutsch; DiSanto; Duvall; Gosch;
3 Greenfield (Lana); Hagggar (Don); Harrison; Haugaard; Heinemann (Leslie); Holmes; Hunhoff
4 (Jean); Hunt; Jensen (Alex); Klumb; Langer; Latterell; Marty; May; Mickelson; Novstrup (Al);
5 Peterson (Kent); Qualm; Rounds; Rozum; Russell; Schaefer; Schoenfish; Solum; Stalzer;
6 Steinhauer; Stevens; Tulson; Verchio; Werner; Westra; Wiik; Willadsen; Wollmann; Zikmund

7 Excused:

8 Kaiser; Rasmussen; Schoenbeck

9 So the bill not having received an affirmative vote of a majority of the members-elect, the
10 Speaker declared the bill lost.

11 Speaker Pro tempore Mickelson now presiding.

12 HB 1096: FOR AN ACT ENTITLED, An Act to provide for the exemption of certain
13 schools from a tuition limitation applied to some bordering state school districts.

14 Was read the second time.

15 The question being "Shall HB 1096 pass as amended?"

16 And the roll being called:

17 Yeas 66, Nays 1, Excused 3, Absent 0

18 Yeas:

19 Anderson; Bartling; Beal; Bolin; Bordeaux; Brunner; Campbell; Conzet; Craig; Cronin;
20 Deutsch; DiSanto; Dryden; Duvall; Feickert; Gibson; Gosch; Greenfield (Lana); Hagggar (Don);
21 Harrison; Haugaard; Hawks; Hawley; Heinemann (Leslie); Holmes; Hunhoff (Jean); Hunt;
22 Jensen (Alex); Johns; Killer; Kirschman; Klumb; Langer; Latterell; Marty; May; McCleerey;
23 Mickelson; Munsterman; Novstrup (Al); Otten (Herman); Partridge; Peterson (Kent); Qualm;
24 Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish; Schrempp; Sly; Soli; Solum;
25 Stalzer; Steinhauer; Stevens; Tulson; Werner; Westra; Wiik; Willadsen; Wollmann; Zikmund;
26 Speaker Wink

27 Nays:

28 Verchio

29 Excused:

30 Kaiser; Rasmussen; Schoenbeck

31 So the bill having received an affirmative vote of a majority of the members-elect, the
32 Speaker declared the bill passed and the title was agreed to.

1 HB 1220: FOR AN ACT ENTITLED, An Act to direct the secretary of education to
2 reinstate scholarship funding under the GEAR UP grant program.

3 Was read the second time.

4 The question being "Shall HB 1220 pass as amended?"

5 And the roll being called:

6 Yeas 20, Nays 47, Excused 3, Absent 0

7 Yeas:

8 Bartling; Bordeaux; Feickert; Gibson; Hawks; Hawley; Killer; Kirschman; Marty; May;
9 McCleerey; Ring; Romkema; Russell; Schrempp; Sly; Soli; Tulson; Werner; Wollmann

10 Nays:

11 Anderson; Beal; Bolin; Brunner; Campbell; Conzet; Craig; Cronin; Deutsch; DiSanto; Dryden;
12 Duvall; Gosch; Greenfield (Lana); Haggart (Don); Harrison; Haugaard; Heinemann (Leslie);
13 Holmes; Hunhoff (Jean); Hunt; Jensen (Alex); Johns; Klumb; Langer; Latterell; Mickelson;
14 Munsterman; Novstrup (Al); Otten (Herman); Partridge; Peterson (Kent); Qualm; Rounds;
15 Rozum; Schaefer; Schoenfish; Solum; Stalzer; Steinhauer; Stevens; Verchio; Westra; Wiik;
16 Willadsen; Zikmund; Speaker Wink

17 Excused:

18 Kaiser; Rasmussen; Schoenbeck

19 So the bill not having received an affirmative vote of a majority of the members-elect, the
20 Speaker declared the bill lost.

21 Rep. Gosch moved that HB 1218 be placed to follow HB 1145 on today's calendar.

22 Which motion prevailed.

23 HB 1143: FOR AN ACT ENTITLED, An Act to accommodate legislation on medical
24 services.

25 Was read the second time.

26 The question being "Shall HB 1143 pass?"

27 And the roll being called:

28 Yeas 53, Nays 14, Excused 3, Absent 0

1 Yeas:
 2 Anderson; Bolin; Bordeaux; Brunner; Conzet; Craig; Deutsch; Dryden; Duvall; Feickert;
 3 Gibson; Gosch; Haggar (Don); Harrison; Heinemann (Leslie); Holmes; Hunhoff (Jean); Hunt;
 4 Jensen (Alex); Johns; Killer; Kirschman; Klumb; Langer; Marty; McCleerey; Mickelson;
 5 Munsterman; Novstrup (Al); Otten (Herman); Partridge; Peterson (Kent); Qualm; Ring;
 6 Romkema; Rounds; Rozum; Schaefer; Schoenfish; Sly; Soli; Solum; Stalzer; Steinhauer;
 7 Stevens; Tulson; Werner; Westra; Wiik; Willadsen; Wollmann; Zikmund; Speaker Wink

8 Nays:
 9 Bartling; Beal; Campbell; Cronin; DiSanto; Greenfield (Lana); Haugaard; Hawks; Hawley;
 10 Latterell; May; Russell; Schrempp; Verchio

11 Excused:
 12 Kaiser; Rasmussen; Schoenbeck

13 So the bill having received an affirmative vote of a majority of the members-elect, the
 14 Speaker declared the bill passed and the title was agreed to.

15 HB 1144: FOR AN ACT ENTITLED, An Act to enhance South Dakota.

16 Was read the second time.

17 The question being "Shall HB 1144 pass?"

18 And the roll being called:

19 Yeas 46, Nays 21, Excused 3, Absent 0

20 Yeas:
 21 Anderson; Beal; Bolin; Brunner; Conzet; Craig; Deutsch; Dryden; Duvall; Feickert; Haggar
 22 (Don); Harrison; Haugaard; Heinemann (Leslie); Holmes; Hunhoff (Jean); Hunt; Johns;
 23 Kirschman; Klumb; Langer; McCleerey; Mickelson; Munsterman; Novstrup (Al); Otten
 24 (Herman); Partridge; Peterson (Kent); Qualm; Ring; Romkema; Schaefer; Schoenfish; Sly;
 25 Solum; Stalzer; Steinhauer; Stevens; Tulson; Werner; Westra; Wiik; Willadsen; Wollmann;
 26 Zikmund; Speaker Wink

27 Nays:
 28 Bartling; Bordeaux; Campbell; Cronin; DiSanto; Gibson; Gosch; Greenfield (Lana); Hawks;
 29 Hawley; Jensen (Alex); Killer; Latterell; Marty; May; Rounds; Rozum; Russell; Schrempp;
 30 Soli; Verchio

31 Excused:
 32 Kaiser; Rasmussen; Schoenbeck

33 So the bill having received an affirmative vote of a majority of the members-elect, the
 34 Speaker declared the bill passed and the title was agreed to.

1 HB 1145: FOR AN ACT ENTITLED, An Act to accommodate legislation relating to
2 education in South Dakota.

3 Was read the second time.

4 The question being "Shall HB 1145 pass?"

5 And the roll being called:

6 Yeas 41, Nays 26, Excused 3, Absent 0

7 Yeas:

8 Anderson; Bolin; Bordeaux; Brunner; Conzet; Craig; Cronin; Deutsch; Duvall; Feickert; Haggar
9 (Don); Harrison; Heinemann (Leslie); Hunhoff (Jean); Hunt; Jensen (Alex); Klumb; Langer;
10 McCleerey; Mickelson; Munsterman; Novstrup (Al); Otten (Herman); Peterson (Kent); Ring;
11 Romkema; Schaefer; Schoenfish; Sly; Soli; Solum; Steinhauer; Stevens; Tulson; Werner;
12 Westra; Wiik; Willadsen; Wollmann; Zikmund; Speaker Wink

13 Nays:

14 Bartling; Beal; Campbell; DiSanto; Dryden; Gibson; Gosch; Greenfield (Lana); Haugaard;
15 Hawks; Hawley; Holmes; Johns; Killer; Kirschman; Latterell; Marty; May; Partridge; Qualm;
16 Rounds; Rozum; Russell; Schrempp; Stalzer; Verchio

17 Excused:

18 Kaiser; Rasmussen; Schoenbeck

19 So the bill having received an affirmative vote of a majority of the members-elect, the
20 Speaker declared the bill passed and the title was agreed to.

21 HB 1218: FOR AN ACT ENTITLED, An Act to require certain notice procedures for any
22 revision of municipal ordinances.

23 Was read the second time.

24 The question being "Shall HB 1218 pass as amended?"

25 And the roll being called:

26 Yeas 67, Nays 0, Excused 3, Absent 0

1 Yeas:

2 Anderson; Bartling; Beal; Bolin; Bordeaux; Brunner; Campbell; Conzet; Craig; Cronin;
3 Deutsch; DiSanto; Dryden; Duvall; Feickert; Gibson; Gosch; Greenfield (Lana); Haggard (Don);
4 Harrison; Haugaard; Hawks; Hawley; Heinemann (Leslie); Holmes; Hunhoff (Jean); Hunt;
5 Jensen (Alex); Johns; Killer; Kirschman; Klumb; Langer; Latterell; Marty; May; McCleerey;
6 Mickelson; Munsterman; Novstrup (Al); Otten (Herman); Partridge; Peterson (Kent); Qualm;
7 Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish; Schrempp; Sly; Soli; Solum;
8 Stalzer; Steinhauer; Stevens; Tulson; Verchio; Werner; Westra; Wiik; Willadsen; Wollmann;
9 Zikmund; Speaker Wink

10 Excused:

11 Kaiser; Rasmussen; Schoenbeck

12 So the bill having received an affirmative vote of a majority of the members-elect, the
13 Speaker declared the bill passed and the title was agreed to.

14 **SECOND READING OF SENATE BILLS AND JOINT RESOLUTIONS**

15 Rep. Gosch moved that the balance of the calendar including SB 17, 52, 8, 2, 34, 120, 63,
16 114, 53, 59, 75, 132, and 23 be deferred to Thursday, February 25, the 28th legislative day.

17 Which motion prevailed.

18 **COMMEMORATIONS**

19 HC 1020 Introduced by: Representatives Stalzer, Anderson, Bartling, Beal, Brunner,
20 Campbell, Conzet, Deutsch, Duvall, Gosch, Greenfield (Lana), Harrison, Haugaard, Hawks,
21 Hawley, Heinemann (Leslie), Holmes, Hunhoff (Jean), Hunt, Johns, Kaiser, Klumb, Langer,
22 Latterell, Marty, May, Mickelson, Munsterman, Novstrup (Al), Otten (Herman), Partridge,
23 Qualm, Rasmussen, Romkema, Rounds, Rozum, Russell, Schaefer, Schoenfish, Solum,
24 Steinhauer, Tulson, Werner, Westra, Wiik, Willadsen, Wink, Wollmann, and Zikmund and
25 Senators Brown, Cammack, Frerichs, Hunhoff (Bernie), and Sutton

26 A LEGISLATIVE COMMEMORATION, Commending the South Dakota Air National Guard's
27 114th Fighter Wing of Sioux Falls, South Dakota, for being awarded the Distinguished
28 Flying Unit Plaque.

29 WHEREAS, the South Dakota Air National Guard's 114th Fighter Wing was presented the
30 Distinguished Flying Unit Plaque in 2015. The Distinguished Flying Unit Plaque is presented
31 to the top five most outstanding flying units in the Air National Guard each year and this is the
32 fifth time the 114th Fighter Wing has won this prestigious award; and

33 WHEREAS, the 114th Fighter Wing was also awarded the Major General John J. Pesch
34 Flight Safety Trophy in 2015. The Major General John J. Pesch Flight Safety Trophy is awarded

1 to two units annually in the nation and this is the fourth time the 114th Fighter Wing has won
2 this prestigious award; and

3 WHEREAS, the 114th Fighter Wing was also awarded the Air Force Outstanding Unit
4 Award in 2015 and this is the seventh time the 114th Fighter Wing has won this award for
5 meritorious service; and

6 WHEREAS, the selection is based on overall combat readiness and the unit's performance
7 with respect to all other Air National Guard flying units with flying safety, aircraft operation
8 readiness, weapons firing, unit alerts, unit manning, skill level qualifications, retention, drill
9 attendance, operational readiness inspections, outstanding accomplishments, and special
10 missions all being factors in the evaluation and selection; and

11 WHEREAS, the 114th Fighter Wing continues to demonstrate continued support to their
12 community and the State of South Dakota:

13 NOW, THEREFORE, BE IT COMMEMORATED, by the Ninety-First Legislature of the
14 State of South Dakota, that the Legislature expresses its respect, commendation, and
15 congratulations to the South Dakota Air National Guard 114th Fighter Wing for its fifth award
16 of the Distinguished Flying Unit Plaque and recognizes its outstanding service to the great State
17 of South Dakota and the United States of America.

18 HC 1021 Introduced by: Representatives Heinemann (Leslie), Anderson, Brunner, Holmes,
19 Klumb, Rasmussen, Rozum, Schoenfish, Stalzer, Werner, Wiik, Wollmann, and Zikmund and
20 Senators Parsley, Cammack, Fiegen, Haverly, Heinert, Holien, Otten (Ernie), Rusch, Sutton,
21 and White

22 A LEGISLATIVE COMMEMORATION, Recognizing Jean Benson for her achievements as
23 head coach for the Chester Area Flyers Volleyball Team.

24 WHEREAS, Jean Benson coached the Chester Area Flyers Volleyball Team to a 2015 South
25 Dakota State Volleyball Championship win; and

26 WHEREAS, one of Jean's players, Jenna Reiff, was named the South Dakota 2015-2016
27 Gatorade Player of the Year; and

28 WHEREAS, Jean was awarded the 2015 South Dakota Volleyball Coaches Association
29 Region Coach of the Year for Region 3:

30 NOW, THEREFORE, BE IT COMMEMORATED, by the Ninety-First Legislature of the
31 State of South Dakota, that the Legislature recognizes Jean Benson for her outstanding coaching
32 achievements.

1 HC 1022 Introduced by: Representatives Rounds and Duvall and Senators Monroe and
2 Tieszen

3 A LEGISLATIVE COMMEMORATION, Congratulating and honoring the 2016 South Dakota
4 First Tech Challenge Robotics Team "Loading...".

5 WHEREAS, the First Tech Challenge (FTC) is a part of the South Dakota Robotics
6 Association which was organized to teach robotics and engineering classes and to allow South
7 Dakota to be an official FIRST region; and

8 WHEREAS, students that participate in FTC show a greater interest in science, technology,
9 computers, robots, and problem solving. Students who participate in this "Sport for the Mind"
10 learn thinking skills, problem-solving skills, work-place related skills, and research skills; and

11 WHEREAS, the South Dakota FTC Team "Loading..." competed in the championship
12 tournament in Bismarck, North Dakota, on January 30, 2016, and won the first place Inspire
13 Award and the Think! Award; and

14 WHEREAS, the South Dakota FTC Team "Loading..." competed in the championship
15 tournament in Lincoln, Nebraska, on February 6, 2016, and won the second place Inspire Award
16 and the Rockwell Collins Innovation Award; and

17 WHEREAS, the South Dakota FTC Team "Loading..." has earned a spot at the North
18 Super-Regional competition to be held in Cedar Rapids, Iowa, on March 17-19, 2016:

19 NOW, THEREFORE, BE IT COMMEMORATED, by the Ninety-First Legislature of the
20 State of South Dakota, that the Legislature honors the 2016 South Dakota FTC Team
21 "Loading..." team members William Kessler, Haley Ketteler, Austin Lentsch, Matthew Pugh,
22 Nathan Remmich, Cassandra Ryckman, Samuel Ryckman, Seth Snyder, and Zayn Snyder, and
23 coaches Nancy Ketteler and Bradley Remmich for their many great achievements in the area of
24 robotics.

25 HC 1023 Introduced by: Representatives Kaiser, Anderson, Bartling, Beal, Brunner,
26 Campbell, Cronin, Deutsch, Duvall, Gosch, Greenfield (Lana), Harrison, Haugaard, Hawks,
27 Hawley, Heinemann (Leslie), Holmes, Hunhoff (Jean), Hunt, Johns, Klumb, Langer, Latterell,
28 Marty, May, Mickelson, Munsterman, Novstrup (Al), Otten (Herman), Partridge, Qualm,
29 Rasmussen, Romkema, Rounds, Rozum, Russell, Schaefer, Schoenfish, Solum, Stalzer,
30 Steinhauer, Tulson, Werner, Westra, Wiik, Willadsen, Wink, Wollmann, and Zikmund and
31 Senators Frerichs, Brown, Cammack, Hunhoff (Bernie), and Sutton

32 A LEGISLATIVE COMMEMORATION, Commending the South Dakota National Guard's
33 Battery A, 1/147 Field Artillery Battalion of Aberdeen, South Dakota on being awarded the
34 National Guard Association of the United States' Certificate of Victory.

35 WHEREAS, the South Dakota National Guard's Battery A, 1/147 Field Artillery Battalion
36 has earned the National Guard Association of the United States' Certificate of Victory for
37 weapons marksmanship in 2015; and

1 WHEREAS, the award is presented to the unit with excellence in annual qualification firing
2 with assigned individual weapons; and

3 WHEREAS, the Certificate of Victory is awarded to the team attaining the highest figure
4 of qualification in each state; and

5 WHEREAS, Battery A, 1/147 Field Artillery Battalion continues to demonstrate continued
6 support to its community and the State of South Dakota:

7 NOW, THEREFORE, BE IT COMMEMORATED, by the Ninety-First Legislature of the
8 State of South Dakota, that the Legislature expresses its respect, commendation, and
9 congratulations to the South Dakota National Guard's Battery A, 1/147 Field Artillery Battalion
10 for receiving the Certificate of Victory for weapons marksmanship in 2015 and recognizes its
11 outstanding service to the great State of South Dakota and the United States of America.

12 HC 1024 Introduced by: Representatives Dryden, Anderson, Bartling, Beal, Bolin,
13 Brunner, Campbell, Conzet, Craig, Deutsch, Duvall, Gosch, Greenfield (Lana), Harrison,
14 Haugaard, Hawks, Hawley, Heinemann (Leslie), Holmes, Hunhoff (Jean), Hunt, Johns, Kaiser,
15 Klumb, Langer, Latterell, Marty, May, Mickelson, Munsterman, Novstrup (Al), Otten
16 (Herman), Partridge, Peterson (Kent), Qualm, Rasmussen, Romkema, Rounds, Rozum, Russell,
17 Schaefer, Schoenfish, Sly, Solum, Stalzer, Steinhauer, Tulson, Werner, Westra, Wiik,
18 Willadsen, Wink, Wollmann, and Zikmund and Senators Cammack, Brown, Frerichs, Hunhoff
19 (Bernie), and Sutton

20 A LEGISLATIVE COMMEMORATION, Commending the South Dakota National Guard's
21 Company C, 1-189th Aviation Regiment of Rapid City, South Dakota on being awarded the
22 General John J. Pershing Trophy.

23 WHEREAS, the South Dakota National Guard's Company C, 1-189th Aviation Regiment
24 was awarded the General John J. Pershing Trophy in 2015; and

25 WHEREAS, the award is given for attaining the highest figure of merit in the nation during
26 annual weapons qualification; and

27 WHEREAS, the selection for the General John J. Pershing Trophy is presented to the unit
28 in each area of the Army attaining the highest figure of merit during annual qualification firing
29 with assigned individual weapons; and

30 WHEREAS, Company C, 1-189th Aviation Regiment continues to demonstrate continued
31 support to its community and the State of South Dakota:

32 NOW, THEREFORE, BE IT COMMEMORATED, by the Ninety-First Legislature of the
33 State of South Dakota, that the Legislature expresses its respect, commendation, and
34 congratulations to the South Dakota National Guard Company C, 1-189th Aviation Regiment
35 for receiving the General John J. Pershing Trophy and recognizes its outstanding service to the
36 great State of South Dakota and the United States of America.

1 HC 1025 Introduced by: Representatives Wollmann, Anderson, Bartling, Beal, Bolin,
2 Bordeaux, Brunner, Campbell, Conzet, Craig, Cronin, Deutsch, DiSanto, Dryden, Duvall,
3 Feickert, Gibson, Gosch, Greenfield (Lana), Haggar (Don), Harrison, Haugaard, Hawks,
4 Hawley, Heinemann (Leslie), Holmes, Hunhoff (Jean), Hunt, Jensen (Alex), Johns, Kaiser,
5 Killer, Kirschman, Klumb, Langer, Latterell, Marty, May, McCleerey, Mickelson, Munsterman,
6 Novstrup (Al), Otten (Herman), Partridge, Peterson (Kent), Qualm, Rasmussen, Ring,
7 Romkema, Rounds, Rozum, Russell, Schaefer, Schoenbeck, Schoenfish, Schrempp, Sly, Soli,
8 Solum, Stalzer, Steinhauer, Stevens, Tulson, Verchio, Werner, Westra, Wiik, Willadsen, Wink,
9 and Zikmund and Senators Parsley, Bradford, Brown, Buhl O'Donnell, Cammack, Frerichs,
10 Heinert, Hunhoff (Bernie), and Peterson (Jim)

11 A LEGISLATIVE COMMEMORATION, Commending the South Dakota Army National
12 Guard's 211th Engineer Company of Madison and DeSmet, South Dakota, on being
13 awarded the Eisenhower Trophy.

14 WHEREAS, the South Dakota Army National Guard's 211th was presented the Eisenhower
15 Trophy. The Eisenhower Trophy is presented by the Chief of the National Guard Bureau to the
16 Army National Guard unit in the state rated the most outstanding during the training year; and

17 WHEREAS, the selection is based on overall combat readiness and the unit's performance
18 with respect to all other South Dakota Army National Guard units with personnel strength,
19 individual and crew served weapons firing, the Army physical fitness test, unit alerts, unit
20 manning, skill level qualifications, retention, drill attendance, operational readiness inspections,
21 outstanding accomplishments, and special missions all being factors in the evaluation and
22 selection; and

23 WHEREAS, the 211th Engineer Company continues to demonstrate continued support to
24 its community and the State of South Dakota:

25 NOW, THEREFORE, BE IT COMMEMORATED, by the Ninety-First Legislature of the
26 State of South Dakota, that the Legislature expresses its respect, commendation, and
27 congratulations to the South Dakota Army National Guard 211th Engineer Company for being
28 awarded the Eisenhower Trophy and recognizes its outstanding service to the great State of
29 South Dakota and the United States of America.

30 HC 1026 Introduced by: Representatives Klumb and Rozum and Senator Vehle

31 A LEGISLATIVE COMMEMORATION, honoring Jesse Hastings, of Mount Vernon, South
32 Dakota for quick actions that saved the life of his classmate.

33 WHEREAS, on November 3, 2016, Jesse began a normal day in eighth grade when a
34 classmate began choking; and

35 WHEREAS, Jesse kept his cool and stepped in, performed the Heimlich Maneuver, and
36 cleared his classmate's airway in less than one minute; and

WHEREAS, Jesse's quick actions saved the life of his classmate, meeting one of Jesse's life goals:

NOW, THEREFORE, BE IT COMMEMORATED, by the Ninety-First Legislature of the State of South Dakota, that Jesse Hastings be recognized as a true hero for his quick thinking, action, and courage that saved the life of a classmate.

HC 1027 Introduced by: Representatives Werner, Anderson, Bartling, Beal, Brunner, Campbell, Conzet, Deutsch, Duvall, Gosch, Greenfield (Lana), Harrison, Haugaard, Hawks, Hawley, Heinemann (Leslie), Holmes, Hunhoff (Jean), Hunt, Johns, Kaiser, Klumb, Langer, Latterell, Marty, May, Mickelson, Munsterman, Novstrup (Al), Otten (Herman), Partridge, Qualm, Rasmussen, Romkema, Rounds, Rozum, Russell, Schaefer, Schoenfish, Solum, Stalzer, Steinhauer, Tulson, Westra, Wiik, Willadsen, Wink, Wollmann, and Zikmund and Senators Cammack, Brown, Frerichs, Hunhoff (Bernie), and Sutton

A LEGISLATIVE COMMEMORATION, Commending the South Dakota Army National Guard's 153rd Engineer Battalion of Huron, South Dakota on being awarded the Major General Milton A. Reckord Trophy.

WHEREAS, the South Dakota Army National Guard's 153rd was presented the Major General Milton A. Reckord Trophy for the second year in a row at the 2015 National Guard Association of the United States conference; and

WHEREAS, the Reckord Trophy is presented to the most outstanding battalion in each area of the Army; and

WHEREAS, the 153rd Engineer Battalion has an annual training record rating of excellent; and

WHEREAS, the selection is based on overall combat readiness and the unit's performance with respect to all other Army National Guard units with personnel strength, individual and crew served weapons firing, the army physical fitness test, unit alerts, unit manning, skill level qualifications, retention, drill attendance, operational readiness inspections, outstanding accomplishments, and special missions all being factors in the evaluation and selection; and

WHEREAS, the 153rd Engineer Battalion continues to demonstrate continued support to its community and the State of South Dakota:

NOW, THEREFORE, BE IT COMMEMORATED, by the Ninety-First Legislature of the State of South Dakota, that the Legislature expresses its respect, commendation, and congratulations to the South Dakota Army National 153rd Engineer Battalion for being awarded the Reckord Trophy and recognizes its outstanding service to the great State of South Dakota and the United States of America.

1 HC 1028 Introduced by: Representatives Qualm and Bartling and Senator Sutton

2 A LEGISLATIVE COMMEMORATION, Honoring the Jorgensen Land and Cattle Partnership
3 of Tripp County as the 2015 Leopold Conservation Award recipient.

4 WHEREAS, named for renowned conservationist Aldo Leopold, the Leopold Conservation
5 Award recognizes farm and ranch families who demonstrate outstanding conservation
6 leadership on their land and in their communities; and

7 WHEREAS, the Jorgensens humbly began as a small family farm over 100 years ago and
8 have grown to include livestock, a large variety of crops, and a hunting business, and the
9 Jorgensen family owns and manages its fourth generation ranch with land health as a top
10 priority; and

11 WHEREAS, the Jorgensen Land and Cattle Partnership has been, and is currently, a leader
12 in its area with the use of no till, crop rotation, and cover crops, especially in one of the state's
13 fragile land areas. Over the past twenty-five years, the Jorgensens evolved their soil
14 management practices to benefit the soil and crops, using soil monitoring tools, efficient
15 nutrient application, and GPS tools; and

16 WHEREAS, the family shares its experiences and expertise by working with South Dakota
17 State University and assisting other farmers with soil management, including integrating
18 livestock in crop management; and

19 WHEREAS, a commitment to the health of South Dakota's natural resources is exemplified
20 by the Jorgensen Land and Cattle Partnership as the recipient of the 2015 Leopold Conservation
21 Award:

22 NOW, THEREFORE, BE IT COMMEMORATED, by the Ninety-First Legislature of the
23 State of South Dakota, that the Legislature recognizes the Jorgensen Land and Cattle
24 Partnership for the honor of earning the 2015 Leopold Conservation Award in South Dakota.

25 Rep. Anderson moved that the House do now adjourn, which motion prevailed and at
26 7:29 p.m. the House adjourned.

27

Arlene Kvislen, Chief Clerk

